

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 OES-06 L-03 NSF-01 NAS-01

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P R 071115Z SEP 76

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC PRIORITY 963

INFO AMEMBASSY BUDAPEST

AMEMBASSY SOFIA

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C O N F I D E N T I A L SECTION 1 OF 2 PRAGUE 2550

E.O. 11652: GDS

TAGS: PFOR, SCUL, CZ

SUBJECT: CULTURAL SCIENTIFIC EXCHANGES TALKS

REF: STATE 216773

1. SUMMARY: IN TWO-HOUR SESSION SEPTEMBER 2, CZECHOSLOVAK AND AMERICAN DELEGATIONS AGAIN DISAGREED OVER IMPLEMENTATION ARTICLE REFERENCE TO EXCHANGES AMONG "INDIVIDUALS", NARROWED DIFFERENCES ON SECTION DEALING WITH SCIENCE AND TECHNOLOGY, EXPLORED AREAS OF DISAGREEMENT ON ARTICLE DEALING WITH CULTURAL EXCHANGES, AND EXCHANGED TENTATIVE VIEWS ON FINAL PARAGRAPHS OF THE AGREEMENT. END SUMMARY.

2. LEADERS OF BOTH DELEGATIONS REITERATED NOW STANDARD ARGUMENTS ON INCLUSION OF "INDIVIDUALS" IN IMPLEMENTATION ARTICLE. WE KEPT IN RESERVE AND DECIDED NOT YET TO TABLE COMPROMISE LANGUAGE SUGGESTED IN PRAGUE 2448, PARA 4.

3. CZECHOSLOVAK SIDE PRESENTED NEW DRAFT ARTICLE ON SCIENTIFIC AND TECHNOLOGICAL EXCHANGES (SPETEL). IN ACCORDANCE WITH INSTRUCTIONS CONTAINED IN STATE 216773, AMBASSADOR REVIEWED U.S. POSITION, NOTED THAT OUR MAIN PROBLEMS MAY HAVE BECOME MAINLY EDITORIAL, RATHER THAN SUBSTANTIVE, SO FAR AS THIS ARTICLE CONCERNED. DR. ZEMLA OF CZECHOSLOVAK DELEGATION REITERATED HIS QUESTION ABOUT INCLUSION OF ARTICLE III ON NATIONAL SCIENCE FOUNDATION

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TIES. AMBASSADOR SAID U.S. WILLING TO INCLUDE THIS SUBJECT IN

IMPLEMENTATION PROGRAMS.

4. U.S. DELEGATION PROPOSED ARTICLE 1 OF CZECHOSLOVAK S & T DRAFT BE ALTERED TO READ "CONDITIONS FOR THE MUTUALLY BENEFICIAL EXCHANGE." CZECHOSLOVAKS FELT THIS WORDING WAS UNDULY REPETITIOUS OF PREAMBLE BUT VOICED NO SERIOUS OBJECTION.

5. CZECHOSLOVAKS OFFERED TO USE ORIGINAL U.S. PHRASE "PURE SCIENCE, APPLIED SCIENCE, AND TECHNOLOGY", BUT AS U.S. SIDE HAD NO OBJECTION TO SHORTER CZECHOSLOVAK FORMULATION, "SCIENCE AND TECHNOLOGY", DELEGATIONS DECIDED TO ACCEPT THE LATTER, SIMPLER PHRASE.

6. DR. ZEMLA SUGGESTED THAT CZECHOSLOVAK SUBSECTION A, "EXCHANGE OF SPECIALISTS AND SCHOLARSHIP", BE COMBINED WITH U.S. DRAFT LANGUAGE, "VISITS, STUDY TRIPS AND CONSULTATIONS." ARTICLE WOULD THEN READ, "A. EXCHANGE OF SPECIALISTS AND SCHOLARSHIPS, INCLUDING VISITS, STUDY TRIPS AND CONSULTATIONS. SEE ALSO PARA 12 BELOW. REQUEST DEPARTMENT'S APPROVAL OF ALTERNATIVE LANGUAGE.

7. CZECHOSLOVAKS MADE STRONG PITCH FOR RETAINING THEIR PROPOSED LANGUAGE ON EXCHANGE OF INFORMATION ON PATENTS AND LICENSES. STRESSING NEED TO PROTECT RESULTS OF JOINT RESEARCH AND COOPERATION, CZECHOSLOVAKS NOTED THAT "IN ANY CASE" THE PARTIES WOULD BE BOUND ONLY TO "ENCOURAGE" EXCHANGE OF INFORMATION CONCERNING PATENTS AND LICENSES. FYI SOME EXCHANGE OF SUCH INFORMATION GOES ON AT PRESENT. U.S. PATENT DELEGATION, FOR EXAMPLE, VISITED PRAGUE AT END OF JUNE. END FYI. EMBASSY BELIEVES THAT GOC ANXIOUS TO EXPAND RELATIONS IN THIS FIELD. WE SPECULATE THAT ZEMLA MAY HAVE INSTRUCTIONS TO SECURE SOME REFERENCE TO EXCHANGE OF INFORMATION CONCERNING PATENTS AND LICENSES IN THE INTEREST OF FMTIR, WHICH WILL BE CHARGED WITH IMPLEMENTING MUCH OF EXCHANGES PROGRAM ON THE TECHNOLOGICAL SIDE. EMBASSY NEGOTIATORS CAN SEE ADVANTAGE OF INCLUDING SUCH A REFERENCE BECAUSE PATENTS AND LICENSES CONSTITUTE AN IMPORTANT MEANS OF EXCHANGING TECHNOLOGICAL INFORMATION. EMBASSY BELIEVES SOME REFERENCE TO INFO EXCHANGE WOULD BE JUSTIFIED IN THE CASE OF CZECHOSLOVAKIA AND THEREFORE OFFERS FOLLOWING AS A POSSIBLE COMPROMISE FORMULATION: "THE CONTRACTING PARTIES ...  
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WILL ENCOURAGE...EXCHANGE OF INFORMATION IN THE FIELD OF PATENTS AND LICENSES IN AREAS OF COOPERATION UNDERTAKEN UNDER THE PROVISIONS OF THIS AGREEMENT." REQUEST DEPARTMENT'S APPROVAL OF SUCH A LIMITED REFERENCE TO EXCHANGE OF PATENT INFORMATION.

8. CZECHOSLOVAKS ACCEPTED IN PRINCIPLE LANGUAGE CONTAINED PARA 4D OF REFTEL, BUT DID ADD QUALIFYING PHRASE "OF MUTUAL INTEREST." RESULTING TEXT WOULD READ: "JOINT DEVELOPMENT

AND IMPLEMENTATION OF SCIENTIFIC PROGRAMS AND PROJECTS OF  
MUTUAL INTEREST, INCLUDING JOINT RESEARCH, TESTING, ETC."

9. CZECHOSLOVAKS ALSO TABLED DRAFT ENTITLED "EDUCATION,  
CULTURE, HEALTH SERVICES, COMMUNICATIONS MEDIA, SPORT."  
FULL TEXT OF WHICH FOLLOWS BY SEPTEL.

10. MANY POINTS IN NEW CZECHOSLOVAK CULTURAL DRAFT COME CLOSE  
TO DESIRED U.S. LANGUAGE, AS ZEMLA HAD PROMISED THEY WOULD.  
MAJOR ITEMS OF DISAGREEMENT ARE FAILURE TO MENTION "CULTURAL  
CENTERS" AND "PUBLIC DISTRIBUTION OF NEWSPAPERS...AND OTHER  
INFORMATIONAL MATERIALS."

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AMEMBASSY SOFIA  
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C O N F I D E N T I A L SECTION 2 OF 2 PRAGUE 2550

11. CZECHOSLOVAK DRAFT SPECIFIES "GRADUATE" STUDENTS, RATHER  
THAT STUDENTS IN GENERAL. WHEN U.S. SIDE NOTED THAT AMERICAN  
UNDERGRADUATES HAVE COME TO CZECHOSLOVAKIA IN THE PAST,  
CZECHOSLOVAKS DID NOT DISAGREE, BUT SAID THAT "AS A RULE"  
EXCHANGES ARE ON GRADUATE LEVEL. WE STATED OUR PREFERENCE  
THAT CATEGORY "STUDENTS" NOT BE MODIFIED SO AS TO LIMIT ITS  
APPLICABILITY. DOES DEPARTMENT AGREE?

12. CZECHOSLOVAK DRAFT MENTIONS "EXCHANGES OF SCHOLARSHIPS",  
A FORM OF COOPERATION DR. ZEMLA STRESSED WAS VERY IMPORTANT.  
MAY WE ACCEPT THIS ITEM WHICH SEEMS TO US CONSISTENT WITH  
CSCE PROVISIONS? (SEE ALSO PARA 6, ABOVE.)

13. CZECHOSLOVAKS ADDED "ECOLOGY" TO LISTING OF FIELDS FOR "EXCHANGES OF REPRESENTATIVES." IF DEPARTMENT HAS NO OBJECTION, WE WILL AGREE TO ITS INCLUSION.

14. CZECHOSLOVAKS ALSO REPLACED "ACADEMIC" WITH "AMATEUR" IN ARTICLE REFERRING TO APPEARANCES OF MUSICAL DANCE AND THEATRICAL GROUPS, SAYING THAT IT WAS A BROADER CONCEPT AND THUS PREFERABLE. DELEGATIONS AGREED THAT SOME FORMULATION SUCH AS "PROFESSIONAL" NON-PROFESSIONAL, AND ACADEMIC" MIGHT BE ACCEPTABLE TO BOTH SIDES. REQUEST DEPARTMENT'S COMMENTS.

15. CZECHOSLOVAKS INCLUDED ARTICLE ON TEACHING OF LANGUAGE AND  
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TRANSLATION AND PUBLICATION OF "OUTSTANDING SCIENTIFIC, LITERARY, AND ARTISTIC WORKS," ADMITTING FRANKLY THAT WHEREAS MANY ENGLISH BOOKS FIND THEIR WAY INTO CZECH, THE REVERSE IS NOT TRUE AND FROM THEIR POINT OF VIEW NEEDS TO BE ENCOURAGED. REQUEST INSTRUCTIONS.

16. ZEMLA ASKED THAT REFERENCE TO "CULTURAL CENTERS" BE OMITTED SINCE GOC VIEWS THIS ISSUE AS "PREMATURE." HE SUGGESTED THAT AMBASSADOR TAKE UP THIS MATTER WITH FOREIGN MINISTER CHNOUPEK OR DEPUTY FOREIGN MINISTER SPACIL. DR. ZEMLA SPECIFICALLY MENTIONED CLAIMS/GOLD AS OBSTACLE AT PRESENT. NOTABLY, CZECHOSLOVAK ARTICLE DOES MENTION "ACCESS TO LIBRARIES AND READING ROOMS, MUSEUMS AND ARCHIVES" -- A FORMULATION WE FIND ENCOURAGING. EMBASSY PREFERS TO RETAIN REFERENCE TO "CULTURAL CENTERS", INFORMING CZECHS THAT, EVEN IF TIME MAY NOT BE APPROPRIATE, CONCEPT IS LEGITIMATE ONE TO INCLUDE IN AN EXCHANGES-CULTURAL AGREEMENT. PLEASE ADVISE.

17. BOTH MEDICINE AND SPORT ARE COVERED IN CZECHOSLOVAK CULTURAL DRAFT.

18. SECTION ON MEDIA COOPERATION STATES "CONTACTING PARTIES WILL ENCOURAGE MUTUAL COOPERATION IN THE FIELDS OF FILM, RADIO, TV, AND PRESS." DR. ZEMLA EMPHASIZED THAT THIS NEW CZECH FORMULATION WAS NOT TO BE CONSTURED AS AN OUTRIGHT REJECTION OF U.S. LANGUAGE, BUT THAT HE AND HIS DELEGATION WOULD BE RECEPTIVE TO A REVISED U.S. DRAFT. EMBASSY ACCORDINGLY SUBMITS A SUGGESTED COMPROMISE ARTICLE, FOR DEPARTMENT'S APPROVAL AND COMMENT:

QUOTE: ARTICLE 6

THE CONTRACTING PARTIES WILL ENCOURAGE MUTUAL COOPERATION IN THE FIELDS OF FILM, RADIO, TV, AND PRESS, INCLUDING THE SHOWING OF DOCUMENTARY AND FEATURE FILMS AND THE HOLDING OF FILM WEEKS DEVOTED TO FEATURE FILMS OF THE OTHER COUNTRY, IN ADDITION TO OTHER ACTIVITIES.

THE CONTRACTING PARTIES WILL ENCOURAGE VISITS AND EXCHANGES OF JOURNALISTS, EDITORS, AND PUBLISHERS.

EACH PARTY WILL ALSO PERMIT AND FACILITATE BY ALL APPROPRIATE  
MAANS PUBLIC DISTRIBUTION OF NEWSPAPERS, PERIODICALS, AND OTHER  
CULTURAL AND SCIENTIFIC MATERIALS DESIGNED TO INCREASE KNOWLEDGE  
OF THE PEOPLES AND CULTURES OF THE TWO COUNTRIES. END QUOTE.  
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19. NEAR END OF MEETING, ZEMLA PRESENTED DRAFT ON PART III  
ENTITLED "GENERAL AND FINAL PROVISIONS." IT EMBRACES ARTICLE ON  
IMPLEMENTATION AND PROPOSES THAT AGREEMENT WOULD REMAIN IN  
FORCE FOR FIVE YEARS. TEST BEING SENT SEPTTEL.

20. WE EXPRESSED HOPE THAT CZECHOSLOVAKS WOULD ACCEPT INCLUSION  
OF ARTICLE TO ENCOURAGE TOURISM. CZECHOSLOVAKS OBJECTED TO OUR  
1975 LANGUAGE ON TOURISM, BUT WE HEREBY TRANSMIT FOR DEPARTMENT'S  
APPROVAL A POSSIBLE COMPROMISE:

QUOTE: THE PARTIES WILL ENCOURAGE TRAVEL BETWEEN THE TWO  
COUNTRIES OF TOURISTS AS INDIVIDUALS AND GROUPS, TO ACQUAINT  
THEMSELVES WITH THE LIFE, WORK, AND CULTURE OF THE PEOPLES OF  
EACH COUNTRY. END QUOTE.

21. DELEGATIONS AGREED TO MEET SEPTEMBER 21, WITH POSSIBILITY  
THAT AMBASSADOR MIGHT MEET PRIVATELY WITH ZEMLA BEFORE THEN.

22. I WOULD LIKE TO ADD A PERSONAL WORD OF THANKS TO THOSE IN  
DEPARTMENT WHO SENT PRELIMINARY INSTRUCTIONS (STATE 214859)  
AUGUST 31, THUS ENABLING US TO BEGIN PLANNING OUR TACTICS IN  
ADVANCE OF SEPTEMBER 2 NEGOTIATION SESSION. REFTTEL, ALTHOUGH  
RECEIVED AFTER CCOB 1 SEPTEMBER 1, WAS WELL CONCEIVED AND WE  
WERE ABLE TO MAKE GOOD USE OF IT DESPITE LATENESS OF ITS ARRIVAL.  
WOULD APPRECIATE YOUR RESPONSE TO THIS CABLE IN TIME ENOUGH  
FOR ME TO MEET PRIVATELY WITH DR. ZEMLA IF NEED BE, BEFORE  
I DEPART FOR OPENING BRNO TRADE FAIR SEPTEMBER 14.  
BYRNE

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## Message Attributes

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